

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**MARCUS KELVIN HIGHTOWER,**

Plaintiff,

v.

Civil Action No. **3:08CV632**

**LISA VINCENT,**

Defendant.

**FINAL ORDER**

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that:

1. Plaintiff's objections are OVERRULED;
2. The Report and Recommendation is ACCEPTED AND ADOPTED;
3. The action is DISMISSED;
4. Plaintiff's motion to appoint counsel (Docket No. 16) is DENIED; and,
5. The Clerk is DIRECTED to note the disposition of the action for purposes of 28 U.S.C. § 1915(g).

Plaintiff may appeal the decision of the Court. Failure to file written notice of appeal within thirty (30) days of the date of entry hereof may result in the loss of the right to appeal.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion and Order to Plaintiff.

And it is so ORDERED.

Date: JUL 01 2009  
Richmond, Virginia

<p>/s/</p> <p><b>Richard L. Williams</b></p> <p><b>United States District Judge</b></p>
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